IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.18276 of 2007

Dated: November 30, 2007

Between:

Kavati Suresh, S/o. Ramulu, aged about 22 years,
Employee in KTPS, R/o.BG-54, I.M. Colony, KPPS
Palvoncha, Khammam District, and another.

… Petitioners

And

The Station House Officer, Palvoncha Town,
Khammam District, and another.

… Respondents

Order:

In this writ petition, petitioners have questioned F.I.R.No.89 of 2007 dated 08-06-2007 on the file of the first respondent, Station House Officer, Palvoncha Town, Khammam District.

2. The second respondent is the father of the second petitioner herein. Initially, the second respondent lodged a complaint dated 14-01-2007 with the first respondent stating that his daughter by name Kurchapalli Bhavani, i.e., the second petitioner herein, who is aged

about 16 years, was forcibly kidnapped by the first petitioner and some others, who are employees of Kothagudem Thermal Power Station. Based on the said complaint, a case in Cr.No.11/07 was registered for the alleged offence under Section 366 of the Indian Penal Code. When the matter was under investigation, another complaint dated 08-06-2007 was lodged by the second respondent stating that on 20-05-2007, the first petitioner kidnapped his minor daughter from his house. Basing on the said complaint, another case in Cr.No.89/07 was registered for the alleged offence under Section 366 of the Indian Penal Code on
08-06-2007.

3. The case of the petitioners is that as much as the complaint dated 14-01-2007 is pending investigation, the case in Cr.No.89/07, which was registered basing on the second complaint dated 08-06-2007 is without any basis.

4. However, it is to be noted that the first complaint was made with reference to the alleged kidnapping on 11-01-2007 and the second complaint is with regard to the alleged kidnapping that took place on
20-05-2007. Though it is submitted by learned counsel for petitioners that even before complaint was lodged by the second respondent, petitioners 1 and 2 have got married, however, the same is a matter which has to be apprised to the investigating officer in the aforementioned crimes. But, basing on the said ground, it cannot be said that the very registration of F.I.R. on 08-06-2007 is illegal.

5. In the circumstances, the writ petition is disposed of keeping it open to the petitioners to apprise the fact, that they have got married, to the concerned. No order as to costs.

JUSTICE R. SUBHASH REDDY.

November 30, 2007
MRR